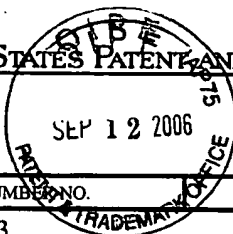


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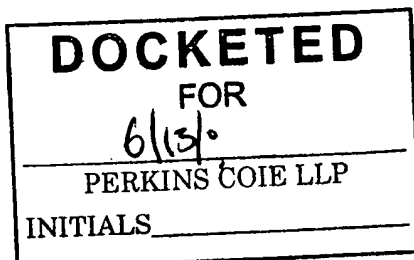
UNITED STATES PATENT AND TRADEMARK OFFICE



UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
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 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/563,533	FIRST NAMED APPLICANT Calvin B Harley	ATTY. DOCKET NO. 38797-8003.US00
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22918
 PERKINS COIE LLP
 P.O. BOX 2168
 MENLO PARK, CA 94026



INTERNATIONAL APPLICATION NO. PCT/US04/20363	
LA. FILING DATE 06/25/2004	PRIORITY DATE 06/27/2003

CONFIRMATION NO. 8436

371 FORMALITIES LETTER



OC000000018510675

Date Mailed: 04/13/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 12/23/2005
- Copy of the International Search Report filed on 12/23/2005
- Copy of IPE Report filed on 12/23/2005
- Preliminary Amendments filed on 12/23/2005
- Oath or Declaration filed on 12/23/2005
- U.S. Basic National Fees filed on 12/23/2005
- Priority Documents filed on 12/23/2005

09/18/2006 LLANDGRA 00000035 10563533

01 FC:1617 130.00 OP

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

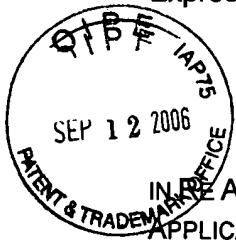
KAREN M WILLIAMS

Telephone: (703) 308-9140 EXT 213

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/563,533	PCT/US04/20363	38797-8003.US00

FORM PCT/DO/EO/905 (371 Formalities Notice)



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: HARLEY *et al.*
APPLICATION No.: 10/563,533
I.A. FILING DATE: 06/25/2004
FOR: FORMULATIONS CONTAINING ASTRAGALUS
EXTRACTS AND USES THEREOF

EXAMINER: UNASSIGNED
ART UNIT: UNKNOWN
CONF. No.: 8436


Response to Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US)

Mail Stop Missing Parts
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

1. To complete the filing requirements for the above-referenced patent application, applicant submits the following:
 - ☒ A copy of the Notification of Missing Requirements
 - ☒ A signed Declaration and Power of Attorney
 - ☒ A Power of Attorney by Assignee
 - ☒ A Copy of three recorded assignments for informational purposes only
 - ☒ A Petition and associated Exhibits A-H
 - ☒ A Petition for 3-month Extension of Time
 - ☒ A check in the amount of \$1350 covering the fees due.
2. Conditional Petition for Extension of Time
Applicant petitions for an Extension of Time if necessary for timely filing of this Response.
3. Fee Payment
 - ☒ Applicant claims large entity status. See 37 CFR §1.27
 - ☒ Enclosed is a check in the amount of \$1350 to cover the surcharge for late filing of the Declaration (\$130), the 3-month time extension fee (\$1,020), and Petition fee (\$200) due.
 - ☒ Please charge any underpayment or credit any overpayment for timely filing of this Response to Deposit Account No. 50-2207.

Respectfully submitted,


LeeAnn Gorthey
Registration No. 37,337

Date: 9-12-2006

Correspondence Address:

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